

2001 Legislation  
PUC-6  
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**An Act to Authorize the Maine State Housing Authority to Administer the Electric Lifeline Program**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, the 118<sup>th</sup> Legislature enacted Public Law Chapter 316, Section 3 requiring the Public Utilities Commission to establish needs-based assistance for low-income persons in the State of Maine;

**Whereas**, the Public Utilities Commission will establish the Electric Lifeline Program to become effective before winter of 2001;

**Whereas**, this legislation needs to take effect immediately to allow Maine State Housing Authority the time necessary to implement procedures to administer the Electric Lifeline Program;

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 30-A M.R.S.A., Part 2, Subpart 8, Chapter 201, Subchapter XI-A is enacted to read:**

**SUBCHAPTER XI-A  
ELECTRIC ASSISTANCE**

**§ 4961. Electric Assistance Program.**

1. Purpose. The purpose of the Electric Assistance Program is to provide electric assistance for the benefit of eligible low-income households in the State of Maine.
2. Definitions. As used in this subchapter, the following terms have the following meanings, unless otherwise indicated.

- a. Authority. "Authority" means the Maine State Housing Authority established pursuant to 30-A M.R.S.A. § 4722.
  - b. Electric assistance. "Electric assistance" means assistance, as established by the Commission pursuant to 35-A M.R.S.A. §3214 and rules promulgated pursuant thereto, as may be amended from time to time, based on an Eligible Household's income level and electricity usage and paid to an Electric Utility on behalf of an Eligible Household.
  - c. Electric utility. "Electric utility" means transmission and distribution utilities as defined in 35-A M.R.S.A. § 3201(19).
  - d. Eligible household. "Eligible household" means a household which is eligible to receive fuel assistance under the Maine State Housing Authority Home Energy Assistance Program established pursuant to 30-A M.R.S.A. §§ 4722 (1)(W), 4741(15) and 4991 *et seq.* and rules promulgated pursuant thereto, as same may be amended from time to time. Eligible households do not include tenants, who reside in subsidized housing and receive a utility allowance, and tenants whose utilities are included in their rent.
  - e. Commission. "Commission" means the Public Utilities Commission established pursuant to 35-A M.R.S.A. § 103.
  - f. Fund. "Fund" means the electric assistance fund established pursuant to this subchapter.
  - g. Program. "Program" means the electric assistance program established by the Commission pursuant to 35-A M.R.S.A. §3214, as same may be amended from time to time.
- 3. Program Administration. The Authority shall administer the Program directly or through regional contract agents. The Program may be administered in conjunction with other programs of the Authority.
  - 4. Reporting Requirements. The Authority shall report annually to the Commission information to determine the amount of funding necessary for the Program, including the amount of Electric Assistance paid on behalf of each Eligible Household, the total amount of Electric Assistance paid on behalf of Eligible Households, the number of Eligible Households served and other reasonably necessary information required by the Commission in

connection with the Program.

5. Rulemaking. The Authority may adopt rules in accordance with the Maine Administrative Procedures Act, Title 5, Chapter 375, to implement this subchapter. Rules adopted pursuant to this subchapter are routine technical rules.

**§ 4962. Electric Assistance Fund.**

1. Creation. The Electric Assistance Program Fund is established under the jurisdiction and control of the Authority.
2. Sources of the Fund. The following shall be paid into the Fund:
  - a. All funds collected by Electric Utilities at a rate set by the Commission pursuant to 35-A M.R.S.A § 3214, as same may be amended from time to time;
  - b. All money appropriated by the State for inclusion in the Fund;
  - c. Subject to any pledge, contract or other obligation, all interest, dividends and pecuniary gains from the investment of money in the Fund; and
  - d. All other money deposited in the Fund to implement the provisions of this subchapter.
3. Application of the Fund. The Authority shall apply money in the Fund to provide Electric Assistance for the benefit of Eligible Households and for other purposes authorized by this subchapter. Money in the Fund not currently needed for purposes of this subchapter may be deposited with the Authority to the credit of the Fund and may be invested as provided by law. Ten percent (10%) of the Fund may be used by the Authority to pay for the administrative expenses of the Fund and operation of the Program.
4. Accounts within the Fund. The Authority may divide the Fund into separate accounts, which it determines are necessary or convenient to accomplish the purposes of this subchapter.
5. Revolving Fund. The Fund is a revolving fund. The Authority shall continuously apply the money in the Fund to accomplish the purposes of this subchapter.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

### **SUMMARY**

This bill authorizes the Maine State Housing Authority to administer the Electric Lifeline Program established by the Public Utilities Commission to provide electric assistance to low-income persons in the State of Maine.